

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated February 1, 2008. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-12 are pending in the Application. Claims 9-12 are added by this amendment.

By means of the present amendment, claims 1-8 are amended including for better conformance to U.S. practice, such as deleting reference designations typically used in European practice that are known to not limit the scope of the claims. Further amendments include beginning each dependent claim with "The" as opposed to "A". By these amendments, claims 1-8 are not amended to address issues of patentability and Applicant respectfully reserves all rights under the Doctrine of Equivalents.

Applicant thanks the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority documents. Applicant further thanks the Examiner for the indication that claim 6 is allowable if amended to be in independent form.

In the Office Action, the drawings are objected to because of a lack of the label "Prior Art" in FIGs. 1 and 1a. In response, "Prior Art" has been added to FIGs. 1 and 1a. A replacement sheet including FIGs. 1 and 1a is enclosed. Further, an annotated marked-up version of the sheet including FIGs. 1 and 1a is enclosed for convenience. It is respectfully submitted that the drawings are now in proper form and a notice to that effect is respectfully requested.

The specification is objected to due to an informality. The specification is amended herein to correct the noted informality. Accordingly, it is respectfully submitted that the specification is now in proper form and a notice to that effect is respectfully requested.

Claim 1 is objected to due to a reference symbol inadvertently left in claim 1 in the previously submitted preliminary amendment. Claims 5 and 6 are objected to due to "any one of" reference inadvertently left in claims 5 and 6 in the previously submitted preliminary amendment. Claims 1, 5 and 6 are amended herein to cure the noted problems. Accordingly, it is respectfully submitted that claims 1, 5 and 6 are in proper form and it is respectfully requested that these objections be withdrawn.

In the Office Action, claims 1-5 and 7-8 are rejected under 35 U.S.C. §103(a) as allegedly being obvious over Applicant Admitted Prior Art (AAPA) in view of U.S. Patent Publication No. 2002/0018056 to Ozawa ("Ozawa") in view of U.S. Patent Publication No. 2002/0044109 to Kimura ("Kimura"). These rejections are respectfully traversed. It is respectfully submitted that claims 1-8 and 9-12 are allowable over AAPA in view of Ozawa in view of Kimura for at least the following reasons.

It is undisputed that AAPA and Ozawa does not disclose or suggest "a display device wherein a plurality of sub pixels of a pixel are coupled to a column conductor associated with the pixel via a common switching transistor through which data signals are supplied to the sub pixels." (See, Office Action, page 4.)

Kimura is cited to cure the deficiencies in both of the AAPA and Ozawa, however, it is respectfully submitted that reliance on Kimura is misplaced. While Kimura does show a pixel including a driving transistor (see, FIG. 1, DT11) and a switching transistor (see, ST11 and accompanying description in paragraph [0045]), Kimura makes clear that the circuit includes "a luminescent element (L11), a driving transistor (DT11) for driving the luminescent element (L11), a switching transistor (ST11) for controlling this

driving transistor (DT11), and a capacitor (C11) are provided at the intersection of the scanning line (S1) and the data line (D1)." (See, paragraph [0046].) Kimura also states that "the pixel includes a switching transistor (ST11), a capacitor (C11), a driving transistor (DT11), and a luminescent element (L11) ..." (See, paragraph [0046].) Further, Kimura states that "the pixel may include a plurality of sub-pixels" yet, provides no indication of how the plurality of sub-pixels may be interconnected. It is respectfully submitted that Kimura provides no teaching of a common switching transistor through which data signals are supplied to the sub pixels as suggested in the Office Action (see, Office Action, page 5, first paragraph). While Kimura does state that sub-pixels may be provided, there is no indication of how the circuit shown in Kimura would be modified to support sub-pixels. There certainly is no teaching of the configuration required by the pending claims. Accordingly, it is respectfully submitted that one may not utilize the teachings of Kimura to arrive at the presently claimed device without undue experimentation. MPEP §2121.01 makes clear that "mere naming or description of the subject matter is insufficient, if it cannot be produced without undue experimentation. *Elan Pharm., Inc. v. Mayo Found. For Med. Educ. & Research*, 346 F.3d

1051, 1054, 68 USPQ2d 1373, 1376 (Fed. Cir. 2003)..." It is respectfully submitted that Kimura makes clear that each pixel is made up of a driving transistor and a switching transistor. Accordingly, in a configuration wherein the pixel includes subpixels, it would appear that each subpixel would similarly include a driving and switching transistor. In any event, there clearly is no teaching of the presently claimed device configuration, accordingly, Kimura does not disclose or suggest that which is missing from AAPA and Ozawa.

It is respectfully submitted that the device of claim 1 is not anticipated or made obvious by the teachings of AAPA in view of Ozawa in view of Kimura. For example, AAPA in view of Ozawa in view of Kimura does not disclose or suggest, a device that amongst other patentable elements, comprises (illustrative emphasis added) "each pixel comprising a plurality of sub pixels which sub pixels are each associated with a respective switching transistor for controlling the supply of a data signal to the sub pixel, wherein the plurality of sub pixels of a pixel are coupled to a column conductor associated with the pixel via a common switching transistor through which data signals are supplied to the sub pixels" as recited in claim 1. It is respectfully submitted that

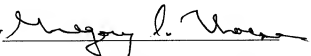
though Kimura is cited for showing this element, in fact, Kimura is silent on what configuration of transistors may be utilized to support a pixel made up of subpixels.

Based on the foregoing, the Applicant respectfully submits that independent claim 1 is patentable over AAPA in view of Ozawa in view of Kimura and notice to this effect is earnestly solicited. Claims 2-12 respectively depend from claim 1 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicant has made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

Gregory L. Thorne, Reg. 39,398  
Attorney for Applicant(s)  
April 28, 2008

Enclosure: Replacement drawing sheet (1 sheet including FIGs. 1 and 1a)  
Annotated drawing sheet (1 sheet showing changes to FIGs. 1 and 1a)

**THORNE & HALAJIAN, LLP**  
Applied Technology Center  
111 West Main Street  
Bay Shore, NY 11706  
Tel: (631) 665-5139  
Fax: (631) 665-5101